

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

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UNITED STATES DISTRICT COURT

\*\*\*\*\* DISTRICT OF NEVADA

ANTONIO ORPIADA,

Petitioner,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 3:11-CV-00013-RCJ-VPC

E. K. MCDANIEL, et al.,

Respondents.

\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

\_\_\_ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

X **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that respondents' motion to dismiss (#17) is **GRANTED**. This action is **DISMISSED** with prejudice for being untimely.

**IT IS FURTHER ORDERED** that a certificate of appealability is **GRANTED** on the issue whether the court is correct in its determination that this action is untimely.

September 14, 2012

LANCE S. WILSON  
Clerk

/s/ D. R. Morgan  
Deputy Clerk